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EXAMINER

HUYNH, SON P

ART UNIT PAPER NUMBER

2623

DATE MAILED: 09/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/892,174

Applicant(s)

IIVONEN, JUKKA-PEKKA

Examiner

Son P. Huynh

Art Unit

2623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 16 March 2006 and 13 June 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 6/13/2006 has been entered.

### ***Response to Arguments***

2. Applicant's arguments filed 3/16/2006 regarding amended claims 1-19 have been fully considered but they are not persuasive.

Applicant argues Osawa fails to disclose or suggest "generate a synchronization message for controlling the playback process in the plurality of user equipment by utilizing at least account information received in a message from a user terminal with highest priority" (page 11, paragraph 2).

In response, this argument is respectfully traversed. Osawa discloses a particular user terminal (for example, the teacher) designates a simultaneous transmission

destination addresses on various operation input unit 206, the designated information is sent to video information providing host 208. When the video information sending unit 210 of the video information providing host 208 receives the simultaneous transmission designated destination addresses from the particular user terminal 200, the video information sending unit 210 sends a connection request to all user terminals 200 designated as the simultaneous transmission destinations corresponding to the addresses. Thereafter, the video information editing unit 211 reads the contents of operation history information designated by the particular user terminal 200 from the operation history information file, edits the video information read from the video database 209, and simultaneously sends the edited information to all the user terminals 200 designated as simultaneous transmission destinations. While the video information corresponding to the operation history information is being displayed, when the particular user (e.g. teacher) manually operates the operations input unit 206 of the user terminal for fast-forward operation or rewind operation, the fast forward operation or rewind operation is sent to the providing host 208 and then editing unit 211, the host determines if the manual playback operation (e.g. fast forward, rewind, etc.) has a higher priority than the history playback operation. If it does, video information unit 211 executes the editing process corresponding to the manual playback operation. The editing unit 211 references a simultaneous transmission destination interrupt flag (col. 16, line 5-col. 17, line 41). As a result of the video editing unit 211 references a simultaneous transmission destination interrupt flag and the edited video is sent to user terminals designated as simultaneous transmission destinations according to the

manual operation, a synchronization message is inherently generated for controlling the playback process in the plurality of user equipment by utilizing at least account information received in a message from a user terminal with highest priority (all the user terminals designated as simultaneous transmission destinations by the particular user terminal (e.g. teacher) is simultaneously interrupted and playback the edited video information according to manual operation received from particular user terminal (e.g. teacher)).

Applicant further argues the cited references fail to disclose or suggest the feature of "controlling the playback in the plurality of user equipment by utilizing at least information received in a message from a user terminal with highest priority". (page 13, paragraph 2, lines 4, page 15, paragraph 2, lines 3-5, page 16, paragraph 2, lines 1-4).

In response, this argument is respectfully traversed. Osawa discloses video editing unit 106 of providing host 103 (figure 1A), in response to a request received from a particular user, can simultaneously transmit the requested video information to user terminals that a plurality of users operate (col. 4, lines 25-36). The writing unit controls the editing unit permits whether or not a user as a simultaneous transmission destination can edit video information with a manual interrupt operation on the user terminal. When the manual interrupt operation is permitted, the video information editing unit edits video information corresponding to a manual interrupt operation by a user on the user terminal (i.e. the particular user such as the teacher -see including, but are not limited to, col. 4, lines 37-53; col. 6, lines 15-61, col. 16, line 5-col. 17, line 41). By doing

so, the playback in the plurality of user equipment (e.g. user equipment of the same group such as equipments of students, user terminals designated as simultaneous transmission destinations) is controlled by utilizing at least one information received in the message from a user terminal with highest priority (e.g. information received in manual interrupt operation request from the particular user with highest priority such as the teacher and the playback is controlled according to the manual interrupt operation request or simultaneously playback edited video information on user terminals designated as simultaneous transmission destinations).

Applicant additionally argues Osawa fails to disclose or suggest how to allow for the synchronization of service to a plurality of user equipment (i.e., storing at least part of the recording prior to its playback, sending a start command to each user terminal of the group and in response to the start command starting the playback of the recording at each terminal (page 13, paragraph 2, lines 9-13).

In response, this argument is respectfully traversed. The claim recites "storing at least part of the recording prior to its playback at each terminal; sending a start command to each terminal of the group; in response to the start command, starting the playback of the recording at each terminal;" (claim 1, lines 11-14). Osawa discloses user terminal comprises a buffer that stores requested video information received from the video information providing host for each period of time or for each predetermined data amount - col. 5, lines 20-33). Thus, at least part of recording (i.e. corresponding to period of time or predetermined data amount of the video information) is stored in the

Art Unit: 2623

buffer prior to its playback. Osawa further discloses sending connection request to all user terminals 200 designated as the simultaneous transmission destination corresponding to the addresses (col. 16, lines 5-12), and each of user terminals 200 (e.g. member of the same group), in response to the connection request, starting the playback of the video information/edited video information requested by the particular user (i.e. teacher) - see including, but are not limited to, col. 6, lines 25-51, col. 16, line 5-col. 17, line 41). Thus, the claimed feature "sending a start command to each terminal of the group" is broadly interpreted as sending connection request and/or request to start playing edited video information to each destination corresponding to the address of user terminals (i.e. terminal of member of the same group, user terminals designated as simultaneous transmission destinations), and "in response to the start command, starting the playback of the recording at each terminal" is broadly interpreted as after receiving connection request and/or request to start playing edited video information, starting playback of the video information/edited video information.

In response to applicant's request for evidence that terminals are terminals in a mobile network (page 17, lines 1-4), the examiner provides US 2005/0028208 ( see paragraph 0059), US (6,973,662 - col. 23, lines 30-37); US ( 6,263,503 - see col. 5, lines 25-33 and figure 1) as evidence to support the Official Notice taken by the examiner that having terminal such as PDAs, laptop computers, etc. of a mobile network.

Art Unit: 2623

For the reasons given above, rejections on claims 1-19 are analyzed as discussed below.

### ***Claim Objections***

3. Claim 10 is objected to because of the following informalities:

Claim 10, line 3, recites "the terminals of a group" should be replaced as—the user terminals of a group—. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claim 19 is rejected under 35 U.S.C. 102(b) as being anticipated by Osawa et al. (US 5,956,037).

Regarding claim 19, the claimed server for managing recording in a system **capable of** providing a plurality of user terminals with synchronized playback of the recordings via a communication network is met by video information provider host in Osawa's disclosure (figure 2), the server being configured to:



sending synchronization messages to the plurality of user terminals during playback of a recording (sending interrupts request and/or start to play video and/or edited video information to the plurality of user terminals designated as simultaneous transmission destinations during playback of video information – col. 15, line 50-col. 17, line 41);

monitoring messages from the plurality of user terminals during playback (monitoring the manual playback operations from user terminals while video information is being displayed – col. 16, lines 30-52);

generating a synchronization message for controlling the playback process in the plurality of user equipment by utilizing at least account information received in a message from a user terminal with highest priority (generating simultaneous interrupt flag and/or simultaneously playback edited video for controlling the playback process in the user terminals designated as simultaneous transmission destinations by utilizing at least account information received in the message from a user terminal with higher priority of manual playback operation e.g. teacher– col. 4, lines 36-53, col. 6, lines 1-51; col. 8, lines 5-53; col. 10, line 26-col. 11, line 17; col. 16, line 5-col. 17, line 41).

### ***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

Art Unit: 2623

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-2, and 4-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Osawa et al. (US 5,956,037) in view of Kinney et al. (U.S. 5,808,662).

Regarding claim 1, Osawa discloses a method for providing synchronized service (i.e. simulcast, synchronized service for user terminals designated as simultaneous transmission destinations) in a communications network including user terminals 101 and servers (video database, video information sending unit, etc. at video information providing host) providing services to the user terminals through at least one channel (channel simulcast data to multiple user terminals) – figures 2, 6, comprising the steps of:

forming at least one group of user terminals (forming user terminals that receives data simultaneously from the host, user terminals designated as simultaneous transmission destinations – see including, but are not limited to, figures 2,6, col. 2, lines 20-26, lines 55-60; col. 4, lines 15-52, col. 15, lines 4-10, col. 16, line 5-col. 17, line 41), wherein each of the user terminals are assigned different rights to control a playback of a recording (permit particular user designated as a simultaneous transmission destinations to edit video information with a manual interrupt operation/manual playback operation on the user terminal – see including, but are not limited to col. 4, lines 40-52; col. 6, lines 1-25, lines 45-50; col. 8, lines 1-23, col. 16, line 5-col. 17, line 41) and allocating at least one channel to an individual group (channel for simultaneously transmission of the requested video information/edited video information to user

Art Unit: 2623

terminals designated as simultaneous transmission destination. See including, but are not limited to, col. 4, lines 32-36, col. 15, lines 10-18, col. 16, line 5-col. 17, line 41)

transmitting a recording to the terminals of a group thus formed (simultaneously transmit the requested video information/edited video information to user terminals that a plurality of users operate – col. 4, lines 32-36, col. 16, line 5-col. 17, line 41); each recording including timing markers, each of which indicates an internal position within the recording (i.e. 1 min 22 sec, 10 min 44 sec. etc. – col. 10, lines 25-37);

storing at least part of the recording prior to its playback at each terminal (user terminal has a buffer that stores requested video information received from the video information providing host 103 for each predetermined period of time or for each predetermined data amount – col. 5, lines 20-33);

sending a start command to each terminal of the group (sending connection request/start of edited video information to all user terminals 200 designated as the simultaneous transmission destinations corresponding to the addresses- col. 16, line 5-col. 17, line 41);

in response to the start command, starting the playback of the recording at each terminal (after sending the connection request/start playing back edited video request to all user terminals designated as simultaneous transmission destinations, starting the playback of the video information requested by the particular user at each user terminal – col. 16, lines 20-32);

maintaining status information for the recording, the status information indicating at least the playback position of the recording (i.e. playing video information as normal

playback at particular time – i.e. from 1 min 50 sec. – col. 10, lines 30-37; col. 16, lines 23-30);

changing the playback status at each terminal according to new status information (i.e. changing to fast forward or rewind according to fast forward, rewind operations – col. 10, lines 26-37; col. 16, lines 30-52; col. 19, lines 35-46);

controlling the playback in the plurality of user equipment by utilizing at least information received in the message from a user terminal with highest priority (i.e. perform playback operation according to manual operation if the request for manual operation is received from the user terminal (e.g. teacher), where the manual playback operation for the video information has higher priority than the playback operation corresponding to an operation history information file (col. 16, line 30-col. 17, line 40). In this case, the “highest priority” is met by manual playback operation from teacher). Osawa further discloses a message indicating new status information concerning the recording (playback operations such as fast-forward, rewind, etc. (col. 16, lines 30-52) and transmitted the edited video information to the user terminals (col. 16, line 5-col. 17, line 41). However, Osawa does not specifically disclose transmitting a status message to the terminals.

Kinney discloses transmitting a status message (i.e. data structures, or events, which are also referred to as playback functions. Each data structure contains at least an event identification, sequence number, etc.) to plurality of terminals, the message indicating new status information concerning the recording (playback, stop, etc.) – see

col. 5, line 35-col. 6, line 20). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Osawa to use the teaching as taught by Kinney in order at least to allow communication between participants of user terminals (col. 5, lines 35-37).

Regarding claim 2, Osawa in view of Kinney discloses a method as discussed in the rejection of claim 1. Osawa further discloses storing video information in video database 209 (figure 2) reads on storing the recordings in a server.

Regarding claim 4, Osawa in view of Kinney discloses a method as discussed in the rejection of claim 1. Osawa further discloses a buffer that stores requested video information received from the video information providing host 103 on a batch basis or period of time (col. 5, lines 20-32; col. 15, lines 10-14) reads on storing of the whole recording prior to its playback.

Regarding claim 5, Osawa in view of Kinney discloses a method as discussed in the rejection of claim 1. Osawa further discloses the status information indicates at least the direction (e.g. rewind, fast forward, etc.) and the speed of the playback (e.g., 30 fps, 15 fps, etc. – col. 18, lines 29-40).

Regarding claim 6, Osawa in view of Kinney discloses a method as discussed in the rejection of claim 2. Osawa further discloses initiating the start command at the server

Art Unit: 2623

(video information editing unit at the server initiates the start command -col. 15, line 50-col. 16, line 52; col. 19, lines 15-35, figures 2,11).

Regarding claim 7, Osawa in view of Kinney discloses a method as discussed in the rejection of claim 2. Osawa further discloses initiating the start command at a user terminal (video information edition unit at the user terminal initiates the start command - figure 6 and col. 5, lines 27-32; col. 12, line 45-col. 13, line 49).

Regarding claim 8, Osawa in view of Kinney discloses a method as discussed in the rejection of claim 2. Osawa further discloses sending the status message from the server (i.e., sending playback operation/designated information from various operation receiving unit of the video information providing host to video editing unit (col. 16, lines 30-52). Alternatively, Kinney also discloses sending the status message from the server (i.e., playback system that sends the events – col. 5, lines 35-50).

Regarding claim 9, Osawa in view of Kinney discloses a method as discussed in the rejection of claim 8. Osawa further discloses sending the status message in response to a status command from a user terminal (sending designated information in response to status command such as a fast forward operation or a rewind operation from a user terminal – col. 16, lines 30-52). Alternatively, Kinney also discloses sending the status message in response to a status command from a user terminal (i.e. sending events

(e.g., seek and play) in response to “Hello” event from a new participant of a terminal – col. 6, lines 10-19).

Regarding claim 10, Osawa in view of Kinney discloses a method as discussed in the rejection of claim 1. Osawa further discloses the steps of:

assigning different priorities to the user terminals of a group (e.g., one terminal with manual playback operation has higher priority than the playback operation corresponding to the operation history information file, the other user terminal with manual playback operation has lower priority than the playback operation corresponding to the operation history information file –col. 16, line 53-col. 17, line 29);

sending new status information from more than one terminal (sending new playback information from terminal has lower priority of manual playback operation and terminal has higher priority of manual playback operation – col. 16, line 53-col. 17, line 29);

generating the status message on the basis of the status information sent from the terminal with the highest priority of the more than one terminal (generating status message of playback operation sent from the terminal with high priority of manual playback operation – see including, but are not limited to, col. 16, line 53-col. 17, line 29; col. 8, lines 20-23; col. 6, lines 1-25).

Regarding claim 11, Osawa in view of Kinney discloses a method as discussed in the rejection of claim 1. Osawa further discloses the steps of:

assigning each terminal predetermined control operations by means of which the terminal is entitled to control the playback operation (i.e. one terminal with manual playback operation has higher priority than the playback operation corresponding to the operation history information file, the other terminal with manual playback operation has higher priority than the playback operation corresponding to the operation history information file –col. 16, line 53-col. 17, line 29; col. 8, lines 1-52);

sending new status information from the terminal (sending new playback information from terminal– col. 16, line 53-col. 17, line 29);

checking the control operations assigned to the terminal (control the permission of whether or not the video information editing means can edit video information with a manual interrupt operation is permitted – col. 6, lines 15-25; col. 16, line 23-col. 17, line 29);

generating the status message in response to the checking (generating a message to execute the editing processes if manual playback operation has higher priority than the playback operation corresponding to an operation history information – see including, but are not limited to, col. 16, line 53-col. 17, line 29; col. 8, lines 20-23; col. 6, lines 1-25).

8. Claims 3, 12-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Osawa et al. (US 5,956,037) in view of Kinney et al. (U.S. 5,808,662) and further in view of Baker et al. (US 5,583,561).



Regarding claim 3, Osawa in view of Kinney discloses a method as discussed in the rejection of claim 1. Osawa further discloses multicast video information to the same group of users (col. 2, lines 19-25, lines 55-60). However, Osawa does not specifically disclose forming several user groups.

Baker discloses the techniques of multi-casting and grouping of viewers into synchronization groups (col. 3, lines 57-62). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Osawa and Kinney to use the teaching as taught by Baker in order to increase the number of viewers being serviced by a digital video data server and associated distribution networks, thereby lower the cost of service per viewer (col. 3, lines 53-62).

Regarding claim 12, the limitations of the system as claimed correspond to the limitations of the method as claimed in claims 1 and 3, and are analyzed as discussed in the rejection of claims 1 and 3, wherein the claimed the server for managing recordings stored within the system is broadly met by Osawa's disclosure of video information providing host (208) for managing the retrieval and providing of video information (figure 2, 6, col. 7, lines 50-67);

user terminals for storing and playing the recordings is broadly met by disclosure in Osawa of user terminals (101, 200 – figures 1,2,6) for storing and playing the video information (col. 5, lines 20-33; col. 15, lines 10-14);

transmission means for transmitting the recordings to the user terminals through at least one channel is broadly met by disclosure in Osawa of video information sending unit (210) sends edited video information to user terminals through a transmission line (figures 2,6, col. 10, lines 13-17). Osawa's disclosure of the index time (e.g., 1 min 22 sec.; 10 min. 44 sec., etc. – col. 10, lines 26-37) reads on the time marker, each indicates an internal position within the recording,

Osawa's disclosure of operation history information file (212 – figure 2) reads on first management means for maintaining information on user group formed in the system, the information indicating the user terminal(s) belonging to a group;

Osawa's disclosure of various operations receiving unit, video information editing unit, operation history operation file (figures 2, 6) broadly reads on second management means for maintaining status information (col. 10, lines 30-37; col. 16, lines 23-30);

Osawa's disclosure of video information receiving unit 201, sound output unit and moving picture output unit (figures 2,6, col. 10, lines 26-67). Osawa further discloses video information sending unit sends video information and other data such as response to request to user terminals (col. 16, lines 5-19). However, Osawa does not specifically disclose sending status information to the user terminals of a group.

Kinney discloses transmitting a status message (i.e. data structures, or events, which are also referred to as playback functions. Each data structure contains at least an event identification, sequence number, etc.) to plurality of terminals, the message indicating new status information concerning the recording (playback, stop, etc.) – see col. 5, line 35-col. 6, line 20). Therefore, it would have been obvious to one of ordinary

Art Unit: 2623

skill in the art at the time the invention was made to modify Osawa to use the teaching as taught by Kinney in order at least to allow communication between participants of user terminals (col. 5, lines 35-37).

Osawa further discloses multicast video information to the same group of users (col. 2, lines 19-25, lines 55-60). However, Osawa does not specifically disclose user groups.

Baker discloses the techniques of multi-casting and grouping of viewers into synchronization groups (col. 3, lines 57-62). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Osawa and Kinney to use the teaching as taught by Baker in order to increase the number of viewers being serviced by a digital video data server and associated distribution networks, thereby lower the cost of service per viewer (col. 3, lines 53-62).

Regarding claims 13-14, the limitations of the system as claimed correspond to the limitations as the system as claimed in claims 2, 5 and are analyzed as discussed with respect to the rejection of claims 2, 5, wherein the centralized database is met by the video information database (see Osawa, figure 2).

Regarding claims 15-17, Osawa in view of Kinney and Baker teaches a system as discussed in the rejection of claim 12, Osawa further discloses the first management means (operations history information means), the first control means (video information editing, video information sending unit, operation history extracting unit), and second

Art Unit: 2623

management means (various operations receiving unit, video information editing unit, operation history operation file) reside in the server (video information providing host – figure 2).

Regarding claim 18, neither Osawa nor Kinney or Baker specifically discloses user terminals are terminals of a mobile network. Official Notice is taken that having terminals of a mobile network is well known in the art. For example, having terminals such as PDAs, laptop computers, etc. of a mobile network. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Osawa, Kinney and Baker to use the well-known teaching in the art in order to allow users to access to content at any desired location, thereby give user more convenience.

### ***Conclusion***

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kulluri et al. (US 5,937,331) discloses protocol and system for transmitting triggers from a remote network and for controlling interactive program content at a broadcast station.

Del Sesto et al. (US 7,069,571) discloses automated retirement of interactive applications using retirement instructions for events and program states.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Son P. Huynh whose telephone number is 571-272-7295. The examiner can normally be reached on 9:00 - 6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher S. Kelley can be reached on 571-272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Son P. Huynh

September 7, 2006

A handwritten signature in black ink, appearing to be 'Son P. Huynh', with a long horizontal line extending from the bottom of the signature.